

To transfer administrative consideration of applications for Federal recognition of an Indian tribe to an independent commission, and for other purposes.

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To transfer administrative consideration of applications for Federal recognition of an Indian tribe to an independent commission, and for other purposes.

3 SHORT TITLE

7 PURPOSES

8 SEC. 2. The purposes of this Act are to—

4 (2) extend to Indian groups the protection,
5 services, and benefits available from the Federal
6 Government pursuant to the Federal trust respon-
7 sibility;

8 (3) extend to Indian groups the immunities and
9 privileges available to federally recognized Indian
10 tribes as well as the responsibilities and obligations
11 of such Indian tribes;

(4) ensure that the special government-to-government relationship between the United States and Indian tribes has a consistent legal and historical basis;

(5) provide clear and consistent standards of administrative review of recognition petitions for Indian groups; and

(6) expedite the administrative review process by providing definitive timelines for review and adequate resources to process recognition petitions.

22 DEFINITIONS

23 SEC. 3. For purposes of this Act.—

(1) The term “Secretary” means the Secretary of the Interior or a representative designated by the Secretary of the Interior.

1 (2) The term “Commission” means the inde-
2 pendent commission established under section 4.

3 (3) The term “Department” means the Depart-
4 ment of the Interior.

5 (4) The term “Bureau” means the Bureau of
6 Indian Affairs of the Department of the Interior.

7 (5) The term “area office” means an area office
8 of the Bureau of Indian Affairs.

9 (6) The term “Indian tribe” means any Indian
10 entity that—

11 (A) is located within any of the States of
12 the United States, and

13 (B) is recognized by the Secretary of the
14 Interior to be an Indian tribe.

15 (7) The term “Indian group” means any Indian
16 entity that—

17 (A) is located within any of the States of
18 the United States, and

19 (B) is not recognized by the Secretary of
20 the Interior to be an Indian tribe.

21 (8) The term “petitioner” means any entity
22 which has submitted, or submits, a petition to the
23 Secretary requesting recognition that the entity is an
24 Indian tribe.

1 (9) The term “autonomous” means having its
2 own tribal council, internal process, or other organi-
3 zational mechanism which the Indian group has used
4 as its own means of making decisions independent of
5 the control of any other Indian governing entity, and
6 in using such term for purposes of this Act, such
7 term must be understood in the context of the cul-
8 ture and social organization of that Indian group.

9 (10) The term “member of an Indian group”
10 means an individual who—

11 (A) is recognized by an Indian group as
12 meeting its membership criteria;

13 (B) consents to being listed as a member
14 of that group; and

15 (C) is not a member of any Indian tribe.

16 (11) The term “member of an Indian tribe”
17 means an individual who—

18 (A) meets the membership requirements of
19 the Indian tribe, as set forth in its governing
20 document or recognized collectively by those
21 persons comprising the governing body of the
22 Indian tribe, and

23 (B) has continuously maintained tribal re-
24 lations with the tribe, or is listed on the tribal

1 rolls of that Indian tribe as a member, if such
2 rolls are maintained.

3 (12) The term “historical” means dating back
4 to the earliest documented contact between—

5 (A) the aboriginal Indian group from
6 which the petitioners descended, and

7 (B) citizens or officials of the United
8 States, colonial or territorial governments, or if
9 relevant, citizens and officials of foreign govern-
10 ments from which the United States acquired
11 territory.

12 (13) The term “continuous” means, with re-
13 spect to any Indian group, extending from genera-
14 tion to generation throughout the Indian group’s
15 history essentially without interruption.

16 (14) The term “indigenous” means native to
17 the area that constitutes the continental United
18 States in that at least part of the group’s aboriginal
19 range extended into what is now the area that con-
20 stitutes the continental United States.

21 (15) The term “community” means any people
22 living within such a reasonable proximity as to allow
23 group interaction and maintenance of tribal rela-
24 tions.

1 (16) The term “other party” means any af-
 2 fected person or organization other than the peti-
 3 tioner who submits comments or evidence in support
 4 of, or in opposition to, a petition.

5 (17) The term “petition” means a petition sub-
 6 mitted to the Commission under section 5(a)(1) or
 7 transferred to the Commission under section 5(a)(3).

8 (18) The term “treaty” means any treaty—

9 (A) negotiated and ratified by the United
 10 States with, or on behalf of, any Indian group,

11 (B) made by any sovereign with, or on be-
 12 half of, any Indian group, whereby the United
 13 States acquired territory by purchase or ces-
 14 sion, or

15 (C) negotiated by the United States with,
 16 or on behalf of, any Indian group in California,
 17 whether or not the treaty was subsequently
 18 ratified.

19 COMMISSION ON INDIAN RECOGNITION

20 SEC. 4. (a)(1) There is established, as an independent
 21 commission, the “Commission on Indian Recognition”.

22 (2)(A) The Commission shall consist of 3 members
 23 appointed by the President, by and with the advice and
 24 consent of the Senate.

25 (B) No more than 2 members of the Commission may
 26 be members of the same political party.

1 (C) The Commission shall hold its first meeting no
2 later than 30 days after the date on which all members
3 of the Commission have been appointed and confirmed by
4 the Senate.

5 (D) Each member of the Commission shall be entitled
6 to one vote which shall be equal to the vote of every other
7 member of the Commission.

8 (E) Any vacancy in the Commission shall not affect
9 its powers, but shall be filled in the same manner in which
10 the original appointment was made.

11 (F) In making appointments to the Commission, the
12 President shall give careful consideration to—

13 (i) recommendations received from Indian
14 tribes, and

15 (ii) individuals who have a background in In-
16 dian law or policy, anthropology, genealogy, or his-
17 tory.

18 (3) At the time appointments are made under para-
19 graph (2)(A), the President shall designate one of such
20 appointees as chairman of the Commission.

21 (4) Two members of the Commission shall constitute
22 a quorum for the transaction of business.

23 (5) The Commission may adopt such rules (consistent
24 with the provisions of this Act) as may be necessary to

1 establish its procedures and to govern the manner of its
2 operations, organization, and personnel.

3 (b)(1)(A) Each member of the Commission not other-
4 wise employed by the United States Government shall re-
5 ceive compensation at a rate equal to the daily equivalent
6 of the annual rate of basic pay prescribed for level V of
7 the Executive Schedule under section 5316 of title 5, Unit-
8 ed States Code, for each day, including traveltime, such
9 member is engaged in the actual performance of duties
10 authorized by the Commission.

11 (B) Except as provided in subparagraph (C), a mem-
12 ber of the Commission who is otherwise an officer or em-
13 ployee of the United States Government shall serve on the
14 Commission without additional compensation, but such
15 service shall be without interruption or loss of civil service
16 status or privilege.

17 (C) All members of the Commission shall be reim-
18 bursed for travel and per diem in lieu of subsistence ex-
19 penses during the performance of duties of the Commis-
20 sion while away from home or their regular place of busi-
21 ness, in accordance with subchapter I of chapter 57 of
22 title 5, United States Code.

23 (2) The principal office of the Commission shall be
24 in the District of Columbia.

1 (c) The Commission shall carry out the duties as-
2 signed to the Commission by this Act, and shall meet the
3 requirements imposed on the Commission by this Act.

4 (d)(1) Subject to such rules and regulations as may
5 be adopted by the Commission, the chairman of the Com-
6 mission is authorized to—

7 (A) appoint, terminate, and fix the compensa-
8 tion (without regard to the provisions of title 5,
9 United States Code, governing appointments in the
10 competitive service, and without regard to the provi-
11 sions of chapter 51 and subchapter III of chapter 53
12 of such title, or of any other provision of law, relat-
13 ing to the number, classification, and General
14 Schedule rates) of an Executive Director of the
15 Commission and of such other personnel as the
16 chairman deems advisable to assist in the perform-
17 ance of the duties of the Commission, at a rate not
18 to exceed a rate equal to the daily equivalent of the
19 annual rate of basic pay prescribed for level V of the
20 Executive Schedule under section 5316 of title 5,
21 United States Code; and

22 (B) procure, as authorized by section 3109(b)
23 of title 5, United States Code, temporary and inter-
24 mittent services to the same extent as is authorized
25 by law for agencies in the executive branch, but at

1 rates not to exceed the daily equivalent of the annual
2 rate of basic pay prescribed for level V of the Execu-
3 tive Schedule under section 5316 of such title.

4 (2) The Commission is authorized—

5 (A) to hold such hearings and sit and act at
6 such times,

7 (B) to take such testimony,

8 (C) to have such printing and binding done,

9 (D) subject to the availability of funds, to enter
10 into such contracts and other arrangements,

11 (E) to make such expenditures, and

12 (F) to take such other actions,

13 as the Commission may deem advisable. Any member of
14 the Commission may administer oaths or affirmations to
15 witnesses appearing before the Commission.

16 (3) The provisions of the Federal Advisory Commit-
17 tee Act shall not apply to the Commission established
18 under this section.

19 (4)(A) The Commission is authorized to secure di-
20 rectly from any officer, department, agency, establish-
21 ment, or instrumentality of the Federal Government such
22 information as the Commission may require for the pur-
23 pose of this Act, and each such officer, department, agen-
24 cy, establishment, or instrumentality is authorized and di-
25 rected to furnish, to the extent permitted by law, such in-

1 formation, suggestions, estimates, and statistics directly to
2 the Commission, upon request made by the chairman of
3 the Commission.

4 (B) Upon the request of the chairman of the Commis-
5 sion, the head of any Federal department, agency, or in-
6 strumentality is authorized to make any of the facilities
7 and services of such department, agency, or instrumental-
8 ity available to the Commission and detail any of the per-
9 sonnel of such department, agency, or instrumentality to
10 the Commission, on a nonreimbursable basis, to assist the
11 Commission in carrying out its duties under this section.

12 (C) The Commission may use the United States mails
13 in the same manner and under the same conditions as
14 other departments and agencies of the United States.

15 (e) The Commission shall cease to exist on the date
16 that is 60 days after the date on which the Commission
17 publishes in the Federal Register the last determination
18 the Commission is required to make under section 8(b)
19 with respect to petitions filed under section 5(a). All
20 records, documents, and materials of the Commission,
21 prior to its termination, shall be transferred by the Com-
22 mission to the National Archives and Records Administra-
23 tion.

24 PETITIONS FOR RECOGNITION

25 SEC. 5. (a)(1) Any Indian group that is indigenous
26 (including any Indian group whose relationship with the

1 Federal Government was terminated by law) may submit
2 to the Commission, during the 72-month period beginning
3 on the date of enactment of this Act, a petition requesting
4 that the Commission recognize that the Indian group is
5 an Indian tribe.

6 (2) The provisions of this Act do not apply to the
7 following groups or entities, which shall not be eligible for
8 recognition under this Act—

9 (A) Indian tribes, organized bands, pueblos,
10 communities, and Alaska Native entities which are
11 already recognized by the Secretary as eligible to re-
12 ceive services from the Bureau;

13 (B) splinter groups, political factions, commu-
14 nities, or groups of any character which separate
15 from the main body of an Indian tribe that, at the
16 time of such separation, is recognized as being an
17 Indian tribe by the Secretary, unless it can be clear-
18 ly established that the group, faction, or community
19 has functioned throughout history until the date of
20 such petition as an autonomous Indian tribal entity;
21 and

22 (C) groups, or successors in interest of groups,
23 that prior to the date of enactment of this Act, have
24 petitioned for, and been denied or refused, recogni-

1 tion as an Indian tribe under regulations prescribed
2 by the Secretary.

3 (3) No later than 30 days after the date on which
4 all of the members of the Commission have been appointed
5 and confirmed by the Senate, the Secretary shall transfer
6 to the Commission all petitions pending before the Depart-
7 ment that request the Secretary, or the Federal Govern-
8 ment, to recognize or acknowledge an Indian group as an
9 Indian tribe. On the date of such transfer, the Secretary
10 and the Department shall cease to have any authority to
11 recognize or acknowledge, on behalf of the Federal Govern-
12 ment, any Indian group as an Indian tribe. Petitions
13 transferred to the Commission under this paragraph shall,
14 for purposes of this Act, be considered as having been sub-
15 mitted to the Commission as of the date of such transfer.

16 (b) Any petition submitted under subsection (a) by
17 an Indian group shall be in a form which clearly indicates
18 that it is a petition requesting the Commission to recog-
19 nize that the Indian group is an Indian tribe and shall
20 contain each of the following:

21 (1) A statement of facts establishing that the
22 petitioner has been identified from historical times
23 until the present, on a substantially continuous
24 basis, as Indian, except that a petitioner shall not be
25 considered as having failed to satisfy any require-

1 ment of this subsection merely because of fluctua-
2 tions of tribal activity during various years. Evi-
3 dence which can be offered to demonstrate Indian
4 identity of the petitioner on a substantially continu-
5 ous basis shall include one or more of the following:

6 (A) Repeated identification of the peti-
7 tioner as Indian by Federal authorities, includ-
8 ing actions which constitute legislative or ad-
9 ministrative termination.

10 (B) Longstanding relationships of the peti-
11 tioner with State governments based on identi-
12 fication of the petitioner as Indian.

13 (C) Repeated dealings of the petitioner
14 with a county, parish, or other local government
15 in a relationship based on the Indian identity of
16 the petitioner.

17 (D) Repeated identification of the peti-
18 tioner as an Indian entity by records in court-
19 houses, churches, or schools.

20 (E) Repeated identification of the peti-
21 tioner as an Indian entity by anthropologists,
22 historians, or other scholars.

23 (F) Repeated identification of the peti-
24 tioner as an Indian entity in newspapers and
25 books.

1 (G) Repeated identification of the peti-
2 tioner as an Indian entity by, and dealings of
3 the petitioner as an Indian entity with, Indian
4 tribes or recognized national Indian organiza-
5 tions.

6 (2) Evidence that—

7 (A) a substantial portion of the member-
8 ship of the petitioner lives in a community
9 viewed as Indian and distinct from other popu-
10 lations in the area, and

11 (B) members of the petitioner are descend-
12 ants of an Indian group or groups which his-
13 torically inhabited a specific area.

14 (3) A statement of facts which establishes that
15 the petitioner has maintained tribal political influ-
16 ence or other authority over its members as an au-
17 tonomous entity from historical times until the
18 present.

19 (4) A copy of the present governing document
20 of the petitioner describing in full the membership
21 criteria of the petitioner and the procedures through
22 which the petitioner currently governs its affairs and
23 members.

24 (5) A list of all current members of the peti-
25 tioner and their current addresses and a copy of

1 each available former list of members based on the
2 petitioner's own defined criteria. The membership
3 must consist of individuals who have established
4 descendancy from an Indian group which existed
5 historically or from historical Indian groups which
6 combined and functioned as a single autonomous en-
7 tity. Evidence of tribal membership required by the
8 Commission includes (but is not limited to)—

9 (A) descendancy rolls prepared by the Sec-
10 retary for the petitioner for purposes of distrib-
11 uting claims money, providing allotments, or
12 other purposes;

13 (B) State, Federal, or other official records
14 or evidence identifying present members of the
15 petitioner, or ancestors of present members of
16 the petitioner, as being an Indian descendant
17 and a member of the petitioner;

18 (C) church, school, and other similar en-
19 rollment records indicating membership in the
20 petitioner;

21 (D) affidavits of recognition by tribal el-
22 ders, leaders, or the tribal governing body as
23 being an Indian descendant of the Indian group
24 and a member of the petitioner; and

1 (E) other records or evidence identifying
2 the person as a member of the petitioner.

3 NOTICE OF RECEIPT OF PETITION

4 SEC. 6. (a) Within 30 days after a petition is submit-
5 ted or transferred to the Commission under section 5(a),
6 the Commission shall send an acknowledgment of receipt
7 in writing to the petitioner and shall have published in
8 the Federal Register a notice of such receipt, including
9 the name, location, and mailing address of the petitioner
10 and such other information that will identify the entity
11 submitting the petition and the date the petition was re-
12 ceived by the Commission. The notice shall also indicate
13 where a copy of the petition may be examined.

14 (b) The Commission shall also notify, in writing, the
15 Governor and attorney general of, and each recognized In-
16 dian tribe within, any State in which a petitioner resides.

17 (c) The Commission shall publish the notice of receipt
18 of the petition in a major newspaper of general circulation
19 in the town or city nearest the location of the petitioner.
20 The notice will include, in addition to the information de-
21 scribed in subsection (a), notice of opportunity for other
22 parties to submit factual or legal arguments in support
23 of, or in opposition to, the petition. Such submissions shall
24 be provided to the petitioner upon receipt by the Commis-
25 sion. The petitioner shall be provided an opportunity to

1 respond to such submissions prior to a determination on
2 the petition by the Commission.

3 PROCESSING THE PETITION

4 SEC. 7. (a)(1) Upon receipt of a petition, the Com-
5 mission shall conduct a review to determine whether the
6 petitioner is entitled to be recognized as an Indian tribe.

7 (2) The review conducted under paragraph (1) shall
8 include consideration of the petition, supporting evidence,
9 and the factual statements contained in the petition.

10 (3) The Commission may also initiate other research
11 for any purpose relative to analyzing the petition and ob-
12 taining additional information about the petitioner's sta-
13 tus and may consider any evidence which may be submit-
14 ted by other parties.

15 (b) Prior to actual consideration of the petition and
16 by no later than the date that is 12 months after the date
17 on which the petition is submitted or transferred to the
18 Commission, the Commission shall notify the petitioner of
19 any obvious deficiencies, or significant omissions, that are
20 apparent upon an initial review of the petition and provide
21 the petitioner with an opportunity to withdraw the petition
22 for further work or to submit additional information or
23 a clarification.

24 (c)(1) Except as otherwise provided in this sub-
25 section, petitions shall be considered on a first come, first
26 served basis, determined by the date of the original filing

1 of the petition with the Commission, or the Department
2 of the Interior if the petition is one transferred to the
3 Commission pursuant to section 5(a). The Commission
4 shall establish a priority register including those petitions
5 pending before the Department of the Interior on the date
6 of enactment of this Act.

7 (2) Petitions that are submitted to the Commission
8 by Indian groups whose relationship with the Federal Gov-
9 ernment was terminated by law or by Indian groups that
10 were parties to treaties—

11 (A) shall receive priority consideration over pe-
12 titions submitted by any other Indian groups, and

13 (B) shall be considered on an expedited basis.

14 (d) The Commission shall provide the petitioner and
15 other parties submitting comments on the petition notice
16 of the date on which the petition comes under active con-
17 sideration.

18 (e) A petitioner may, at its option and upon written
19 request, withdraw its petition prior to publication in the
20 Federal Register by the Commission of proposed findings
21 under section 8(a) and may, if it so desires, resubmit a
22 new petition. A petitioner shall not lose its priority date
23 by withdrawing and resubmitting its petitions, but the
24 time periods provided in section 8(a) shall begin to run
25 upon active consideration of the resubmitted petition.

1 PROPOSED FINDINGS AND DETERMINATION

2 SEC. 8. (a)(1) Within 1 year after notifying the peti-
3 tioner under section 7(d) that active consideration of the
4 petition has begun, the Commission shall make a proposed
5 finding on the petition and shall publish the proposed find-
6 ing in the Federal Register.

7 (2) The Commission may delay making proposed
8 findings on a petition under paragraph (1) for 180 days
9 upon a showing of good cause by the petitioner.

10 (3) In addition to the proposed findings, the Commis-
11 sion shall prepare a report on each petition which summa-
12 rizes the evidence for the proposed findings. Copies of such
13 report shall be available to the petitioner and to other par-
14 ties upon request.

15 (4) Upon publication of the proposed findings under
16 paragraph (1), any individual or organization wishing to
17 challenge the proposed findings shall have a response pe-
18 riod of 120 days to present factual or legal arguments and
19 evidence to rebut the evidence upon which the proposed
20 findings are based.

21 (b)(1) After consideration of any written arguments
22 and evidence submitted to rebut the proposed findings
23 made under subsection (a)(1), the Commission shall make
24 a determination of whether the petitioner is recognized by
25 the Federal Government to be an Indian tribe. Except as

1 otherwise provided by this Act, the determination shall be
2 considered to be a determination on such recognition by
3 the Federal Government, and shall also be treated as a
4 determination on such recognition by the Secretary, for
5 all purposes of law.

6 (2) By no later than the date that is 60 days after
7 the close of the 120-day response period described in sub-
8 section (a)(4), the Commission shall—

9 (A) make a determination of whether the peti-
10 tioner is a federally recognized Indian tribe;

11 (B) publish a summary of the determination in
12 the Federal Register; and

13 (C) deliver a copy of the determination and
14 summary to the petitioner.

15 (3) Any determination made under paragraph (1)
16 shall become effective on the date that is 60 days after
17 the date on which the summary of the determination is
18 published under paragraph (2).

19 (c) In making the proposed findings and determina-
20 tion under this section with respect to any petition, the
21 Commission shall recognize the petitioner as an Indian
22 tribe if the petition meets all the requirements of section
23 5(b). The Commission shall not make such findings or de-
24 termination of recognition of the petitioner if such require-
25 ments have not been met by the petitioner.

1 (d) If the Commission determines under subsection
2 (b)(1) that the petitioner should not be recognized by the
3 Federal Government to be an Indian tribe, the Commis-
4 sion shall analyze and forward to the petitioner other op-
5 tions, if any, under which application for services and
6 other benefits of the Bureau may be made.

7 (e) A determination by the Commission that an In-
8 dian group is recognized by the Federal Government as
9 an Indian tribe shall not—

10 (1) have the effect of depriving or diminishing
11 the right of any other Indian tribe to govern its res-
12 ervation as such reservation existed prior to the rec-
13 ognition of such Indian group,

14 (2) have the effect of depriving or diminishing
15 any property right held in trust or recognized by the
16 United States for such other Indian tribe prior to
17 the recognition of such Indian group, or

18 (3) have the effect of depriving or diminishing
19 any previously or independently existing claim by a
20 petitioner to any such property right held in trust by
21 the United States for such other Indian tribe prior
22 to the recognition of such Indian group.

23 APPEALS

24 SEC. 9. (a) By no later than 60 days after the date
25 on which the summary of the determination of the Com-
26 mission with respect to a petition is published under sec-

1 tion 8(b), the petitioner, or any other party, may appeal
2 the determination to the United States Court of Appeals
3 for the District of Columbia Circuit.

4 (b) The prevailing parties in the appeal described in
5 subsection (a) shall be eligible for an award of attorney
6 fees and costs under the provisions of section 504 of title
7 5, United States Code, or section 2412 of title 28 of such
8 Code, as the case may be.

9 IMPLEMENTATION OF DECISIONS

10 SEC. 10. (a) Upon recognition by the Commission
11 that the petitioner is an Indian tribe, the Indian tribe shall
12 be eligible for the services and benefits from the Federal
13 Government that are available to other federally recog-
14 nized Indian tribes and entitled to the privileges and im-
15 munities available to other federally recognized Indian
16 tribes by virtue of their status as Indian tribes with a gov-
17 ernment-to-government relationship with the United
18 States, as well as having the responsibilities and obliga-
19 tions of such Indian tribes. Such recognition shall subject
20 the Indian tribes to the same authority of Congress and
21 the United States to which other federally recognized
22 tribes are subject.

23 (b) While the Indian tribes that are newly recognized
24 under this Act shall be eligible for benefits and services,
25 recognition of the Indian tribe under this Act will not cre-
26 ate an immediate entitlement to existing programs of the

1 Bureau. Such programs shall become available upon ap-
2 propriation of funds by law. Requests for appropriations
3 shall follow a determination of the needs of the newly rec-
4 ognized Indian tribe.

5 (c) Within 6 months after an Indian tribe is recog-
6 nized under this Act, the appropriate area offices of the
7 Bureau of Indian Affairs and the Indian Health Service
8 shall consult and develop in cooperation with the Indian
9 tribe, and forward to the respective Secretary, a deter-
10 mination of the needs of the Indian tribe and a rec-
11 ommended budget required to serve the newly recognized
12 Indian tribe. The recommended budget will be considered
13 along with other recommendations by the appropriate Sec-
14 retary in the usual budget-request process.

15 LIST OF RECOGNIZED INDIAN TRIBES

16 SEC. 11. By no later than the date that is 90 days
17 after the date of the enactment of this Act, and annually
18 thereafter, the Secretary shall publish in the Federal Reg-
19 ister an up-to-date list of all Indian tribes which are recog-
20 nized by the Federal Government and receiving services
21 from the Bureau.

22 ACTIONS BY PETITIONERS FOR ENFORCEMENT

23 SEC. 12. Any petitioner may bring an action in the
24 district court of the United States for the district in which
25 the petitioner resides, or the United States District Court
26 for the District of Columbia, to enforce the provisions of

1 this Act, including any time limitations within which ac-
2 tions are required to be taken, or decisions made, under
3 this Act and the district court shall issue such orders (in-
4 cluding writs of mandamus) as may be necessary to en-
5 force the provisions of this Act.

6 REGULATIONS

7 SEC. 13. The Commission is authorized to prescribe
8 such regulations as may be necessary to carry out the pro-
9 visions and purposes of this Act. All such regulations must
10 be published in accordance with the provisions of title 5,
11 United States Code.

12 GUIDELINES AND ADVICE

13 SEC. 14. (a) No later than 90 days after the date
14 of enactment of this Act, the Commission shall make avail-
15 able suggested guidelines for the format of petitions, in-
16 cluding general suggestions and guidelines on where and
17 how to research required information, but such examples
18 shall not preclude the use of any other format.

19 (b) The Commission, upon request, is authorized to
20 provide suggestions and advice to any petitioner for his
21 research into the petitioner's historical background and
22 Indian identity. The Commission shall not be responsible
23 for the actual research on behalf of the petitioner.

24 ASSISTANCE TO PETITIONERS

25 SEC. 15. (a)(1) The Commissioner of the Administra-
26 tion for Native Americans of the Department of Health

1 and Human Services may award grants to Indian groups
2 seeking Federal recognition to enable the Indian groups
3 to—

4 (A) conduct the research necessary to substan-
5 tiate petitions under this Act, and

6 (B) prepare documentation necessary for the
7 submission of a petition under this Act.

8 (2) The grants made under this subsection shall be
9 in addition to any other grants the Commissioner of the
10 Administration for Native Americans is authorized to pro-
11 vide under any other provision of law.

12 (b) Grants provided under subsection (a) shall be
13 awarded competitively based on objective criteria pre-
14 scribed in regulations promulgated by the Commissioner
15 of the Administration for Native Americans.

16 AUTHORIZATION OF APPROPRIATIONS

17 SEC. 16. (a) There are authorized to be appropriated
18 for the Commission for the purpose of carrying out the
19 provisions of this Act (other than section 15), \$1,500,000
20 for fiscal year 1995 and \$1,500,000 for each of the 12
21 succeeding fiscal years.

22 (b) There are authorized to be appropriated for the
23 Administration for Native Americans of the Department
24 of Health and Human Services for the purpose of carrying
25 out the provisions of section 15, \$500,000 for fiscal year

1 1995 and \$500,000 for each of the 12 succeeding fiscal
2 years.

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